



TFW

PATENT
Customer No. 22,852
Attorney Docket No. 06809.0030-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Morton M. MOWER) Group Art Unit: 3762
)
Application No.: 10/656,222) Examiner: Kahelin, Michael William
)
Filed: September 8, 2003) Confirmation No.: 1067
)
For: METHOD AND APPARATUS FOR)
INTERCHAMBER)
RESYNCHRONIZATION)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO/SB/08 form. Applicant submits this Information Disclosure Statement (IDS) after a Request for Continued Examination (RCE) for the above-identified application, but before an Office Action in response to the RCE. This IDS supplements the IDSs filed on March 8, 2004, April 11, 2006, and June 20, 2006.

Copies of the listed foreign and non-patent literature documents are attached. Applicant respectfully requests that the Examiner consider the listed documents and indicate their consideration by making appropriate notation on the attached PTO/SB/08 form.

The relevance of two non-English language documents, CASTELLANOS, A, et al "Evaluacion Clinica De Los Marcapasos Implantados," ("Castellanos"), and DE TERESA, E., Grandes Temas de la Medicina: Marcapasos, Nueva Lente ("De Teresa"), is set forth below.

Castellanos generally discloses "Clinical Evaluation of Implantable Pacemakers," and De Teresa generally discloses "Important Themes in Medicine: Pacemakers."

Applicant submits full or partial English-language translations of the non-English language documents "D'AIOTOLO et al., "Tratamiento De Las Arritmias Cardiacas," Buenos Aires (1968) (in Spanish). pp. 1-112" and "SILVA, "Influencia de la Localizacion de la Estimulacion Electrica Ventricular Sobre la Eficiencia Cardiaca. Estudio Experimental Y Clinico," Tesis Doctoral para la Universidad Autonoma De Madrid Facultad de Medicina (1987), pp. 1-150 (Doctoral Thesis, in Spanish)," which were originally submitted in non-English language with the IDS filed for this application on April 11, 2006.

Applicant also encloses a copy of a Communication received from the European Patent Office in European application no. 04755341.7 on July 17, 2006, citing documents US 4,712,555, WO 86/05698, EP 0 494 487, EP 0 726 082, and EP 1 249 254. That communication, as well as the cited documents, are also listed on the PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies any or all of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present the relevant facts and law to the Office regarding the appropriate status of such documents.

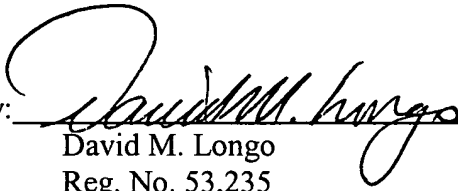
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any or all of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 8, 2006

By: 
David M. Longo
Reg. No. 53,235

Complete if Known

Application Number	10/656,222
Filing Date	September 8, 2003
First Named Inventor	Morton M. Mower
Art Unit	3762
Examiner Name	Kahelin, Michael William
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 8

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-4,559,946	12/24/1985	Mower	
		US-4,386,610	06/07/1983	Leckrone	
		US-4,561,442	12/31/1985	Vollmann et al.	
		US-4,628,934	12/16/1986	Pohndorf et al.	
		US-4,712,555	12/15/1987	Thormander et al.	
		US-4,958,632	09/25/1990	Duggan	
		US-5,318,593	06/07/1994	Duggan	
		US-5,755,766	05/26/1998	Chastain et al.	
		US-5,814,079	09/29/1998	Kieval	
		US-6,937,895	08/30/2005	Lu	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 494 487 A2	01/31/1996	Chirife		
		EP 0 726 082 A2	08/14/1996	Pacesetter, Inc.		
		EP 1 249 254 A2	10/16/2002	Pacesetter, Inc.		
		WO 86/05698	10/09/1986	Pacesetter Systems, Inc.		Yes

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		ABRAHAM, WT, et al., "Cardiac Resynchronization in Chronic Heart Failure," <i>N. Engl. J. Med.</i> , Vol. 346, No. 24, 2002, pp. 1845-53.	
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		AURRICCHIO A, et al, "Effect of Pacing Chamber and Atrioventricular Delay on Acute Systolic Function of Paced Patients With Congestive Heart Failure," <i>Circulation</i> , Vol. 99, No. 23, June 1999, pp. 2993-3001.	

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				Examiner Name	Kahelin, Michael William
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NON PATENT LITERATURE DOCUMENTS					
		AURRICCHIO A, et al., "Long-Term Clinical Effect of Hemodynamically Optimized Cardiac Resynchronization Therapy in Patients With Heart Failure and Ventricular Conduction Delay," <i>J. Am. Coll. Cardiol.</i> , Vol. 39, No. 12, 2002, pp. 2026-33.			
		BEFELER, B, et al., "Cardiovascular Dynamics During Coronary Sinus, Right Atrial, and Right Ventricular Pacing," <i>Am. Heart J.</i> , Vol. 81, No. 3, March 1971, pp. 372-80.			
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		BRISTOW MR, et al., "Cardiac-Resynchronization Therapy With or Without an Implantable Defibrillator in Advanced Chronic Heart Failure," <i>N. Engl. J. Med.</i> , Vol. 350, 2004, 2140-50.			
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NON PATENT LITERATURE DOCUMENTS					
		CASTELLANOS, A, et al., "Effects of Pacemaker Impulses on Latent Arrhythmias Produced by Intramyocardial Chemical Stimulation," <i>Cardiologia</i> , Vol. 51, No. 6, 1967, pp. 340-48.			
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<p>IDS Form PTO/SB/08: Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(Use as many sheets as necessary)</p>				Complete if Known	
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NON PATENT LITERATURE DOCUMENTS			
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		Program of <i>International Congress of Cardiology</i> , Marrakesh, Morocco, Nov. 4, 1988, listing SILVA et al, "Biventricular Stimulation: An Approach to Physiologic Cardiac Stimulation."	
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IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/656,222
				Filing Date	September 8, 2003
				First Named Inventor	Morton M. Mower
				Art Unit	3762
				Examiner Name	Kahelin, Michael William
Sheet	8	of	8	Attorney Docket Number	06809.0030

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		Communication, mailed July 17, 2006, in European Application No. 04755341.7.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.